THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.1075 of 2005

Dated:11.07.2006

Between:

Yacharam Balaiah, and others.

…Petitioners

and

The Mandal Revenue Officer, Maheshwaram Mandal, Ranga Reddy District, and others.

…Respondents

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.1075 of 2005

ORDER:

The four petitioners are aggrieved by the proceedings of the Mandal Revenue Officer in Case No.D/548/01, dated 21.05.2004, whereby and whereunder, the Mandal Revenue Officer ordered to insert the names of respondent Nos.3 and 4 in pattadar and possessor column of the pahani in respect of the land admeasuring Acs.7.00 in Survey No.138 of Pendyal Village, while deleting the name of one Shantamma, W/o.late Laxmaiah, who is the sister-in-law of the first petitioner.

As rightly pointed out by the learned Assistant Government Pleader for Revenue (General), when the record of rights is corrected by the Mandal Revenue Officer under Section 5(2) of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 (for short 'the Act'), an appeal would lie under subsection (5) of Section 5 of the Act.

The petitioners, without availing the effective, alternative and efficacious remedy, filed the instant writ petition. Having regard to the

nature of the right claimed and the dispute presented for adjudication before this Court, this Court is not inclined to entertain the writ petition.

Liberty is given to the petitioners to prefer an appeal before the second respondent within a period of two weeks from the date of receipt of a copy of this order. As and when such appeal is filed, the second respondent shall entertain the same, issue notices to respondent Nos.3 and 4 and decide the matter thereafter within a period of eight weeks.

The Writ Petition, with the above observations and directions, is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

11.07.2006
vs